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Attorneys for Defendants Arena Pharmaceuticals, Inc.,  
Jack Lief, Robert E. Hoffman, Dominic P. Behan,  
William R. Shanahan, Jr., and Christy Anderson

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

TODD SCHUENEMAN, on behalf  
of himself and all others similarly  
situated,

**Plaintiff,**

V.

ARENA PHARMACEUTICALS,  
INC., JACK LIEF, ROBERT E.  
HOFFMAN, DOMINIC P. BEHAN,  
WILLIAM R. SHANAHAN, and  
CHRISTY ANDERSON,

## Defendants.

Case No. 10-CV-1959-CAB (BLM)

**DECLARATION OF RYAN E. BLAIR  
PURSUANT TO THE COURT'S ORDER  
OVERRULING PLAINTIFF'S OBJECTION  
TO MAGISTRATE JUDGE'S JULY 21,  
2017 ORDER [DKT. NO. 133]**

*[Additional Captions on Following Pages]*

1 WILLIAM SUTLIFF and JEAN  
2 SUTLIFF, on behalf of themselves  
3 and all others similarly situated,

4 Plaintiffs,  
5  
6 v.  
7 ARENA PHARMACEUTICALS,  
8 INC., JACK LIEF, and WILLIAM  
9 SHANAHAN, JR.,  
10 Defendants.

Case No. 10-CV-1961-CAB (BLM)

9 WILLIAM PRATT, individually  
10 and on behalf of all others similarly  
situated,

11 Plaintiff,  
12  
13 v.  
14 ARENA PHARMACEUTICALS,  
15 INC., JACK LIEF, ROBERT E.  
HOFFMAN, DOMINIC P. BEHAN,  
WILLIAM R. SHANAHAN, JR.,  
and CHRISTY ANDERSON,  
16 Defendants.

Case No. 10-CV-1977-CAB (BLM)

17 CRAIG RUBENSTEIN, individually  
18 and on behalf of all others similarly  
19 situated,

20 Plaintiff,  
21  
22 v.  
23 ARENA PHARMACEUTICALS,  
24 INC., JACK LIEF, ROBERT E.  
HOFFMAN, DOMINIC P. BEHAN,  
WILLIAM R. SHANAHAN, JR.,  
and CHRISTY ANDERSON,  
25 Defendants.

Case No. 10-CV-1984-CAB (BLM)

1 RODNEY VELASQUEZ, on behalf  
2 of himself and all others similarly  
3 situated,

4 Plaintiff,  
5  
6 v.  
7 ARENA PHARMACEUTICALS,  
8 INC., JACK LIEF, ROBERT E.  
9 HOFFMAN, DOMINIC P. BEHAN,  
10 WILLIAM R. SHANAHAN, JR.,  
11 and CHRISTY ANDERSON,  
12 Defendants.

Case No. 10-CV-2026-CAB (BLM)

10 THONG VU, individually and on  
11 behalf of all others similarly situated,

12 Plaintiff,  
13  
14 v.  
15 ARENA PHARMACEUTICALS,  
16 INC., JACK LIEF, ROBERT E.  
17 HOFFMAN, DOMINIC P. BEHAN,  
18 WILLIAM R. SHANAHAN, and  
19 CHRISTY ANDERSON,  
20 Defendants.

Case No. 10-CV-2086-CAB (BLM)

21 ARIC D. JACOBSON, individually  
22 and on behalf of all others similarly  
23 situated,

24 Plaintiff,  
25  
26 v.  
27 ARENA PHARMACEUTICALS,  
28 INC., JACK LIEF, ROBERT E.  
and CHRISTY ANDERSON,  
Defendants.

Case No. 10-CV-2335-CAB (BLM)

1 I, Ryan E. Blair, hereby declare as follows:

2       1. I respectfully submit this declaration as required by the Court's Order  
3 Overruling Plaintiff's Objections to Magistrate Judge's July 21, 2017 Order. (Dkt. No.  
4 133.) I prepared this declaration with assistance from lawyers, paralegals, and staff who  
5 worked at my direction.

6       2. I am an attorney licensed to practice law in the State of California and am  
7 admitted to practice before this Court. I am a partner with the law firm of Cooley LLP  
8 ("Cooley"), an international, multi-service law firm with lawyers working in offices  
9 located in Boston, Massachusetts; Broomfield, Colorado; London, United Kingdom;  
10 Los Angeles, California; New York, New York; Palo Alto, California; Reston, Virginia;  
11 San Diego, California; San Francisco, California; Seattle, Washington; Shanghai,  
12 China; and Washington, D.C. Cooley represents Defendants Arena Pharmaceuticals,  
13 Inc. ("Arena"), Jack Lief, Robert E. Hoffman, Dominic P. Behan, William R. Shanahan,  
14 Jr., and Christy Anderson in this case. I have been involved with this case since its  
15 inception.

16       3. On July 5, 2017, Defendants and Plaintiff both moved to compel responses  
17 to certain discovery requests. (Dkt. Nos. 113 & 117.) On July 21, 2017, Magistrate  
18 Judge Major resolved both motions in Defendants' favor. (Dkt. No. 122.) On July 28,  
19 2017, Plaintiff filed objections to Judge Major's order. (Dkt. No. 123.) Defendants  
20 opposed. (Dkt. No. 125.) On August 21, 2017, the Court overruled Plaintiff's  
21 objections and determined that Defendants were entitled to "their fees and costs in  
22 connection with their opposition to Plaintiffs' objections to Judge Major's order  
23 concerning Defendants' motion to compel." (Dkt. No 133 (emphasis added).) The  
24 Court instructed Defendants to file a declaration on or before August 28, 2017  
25 concerning their requested fees.

26       4. Cooley's brief in opposition (Dkt. No 125) reflected the work of myself,  
27 two litigation associates (Craig TenBroeck and Jeanne Detch), and a paralegal specialist  
28 (Cynthia Dearick). I have been a partner at Cooley since 2016. Mr. TenBroeck joined

Cooley in 2013 following a federal court clerkship. Ms. Detch joined the firm in 2016 following three federal court clerkships. Ms. Deatrict joined Cooley in 1997.

5. The hours expended by each timekeeper on the opposition brief at each timekeeper's standard hourly rates are detailed below:

Name	Position	Hours Spent	Billing Rate	Total
Ryan Blair	Partner	6.3	\$900	\$5,670
Craig TenBroeck	Associate	39.8	\$735	\$29,253
Jeanne Detch	Associate	1.9	\$595	\$1,130.50
Cynthia Deatrick	Paralegal	3.6	\$375	\$1,350
				<b>\$37,403.50</b>

6. A court in this district recently found the rates charged by Cooley's attorneys to be reasonable compared to peer firms. *Gabriel Techs. Corp. v. Qualcomm Inc.*, 2013 WL 410103, at \*9 (S.D. Cal. Feb. 1, 2013).

7. Defendants' opposition brief contained approximately 3,752 words. Approximately 1,569 of those words (41.82%) concerned Plaintiff's motion to compel for which Defendants do not seek fees. Cooley therefore requests fees of **\$21,762** (58.18% of the total) in connection with its brief. Cooley will provide additional documentation (*i.e.*, invoices) should the Court deem it necessary.

8. I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on August 28, 2017, in San Diego, California.

*/s/ Ryan E. Blair*

Ryan E. Blair